

# EXHIBIT 18

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3 UNITED STATES DISTRICT COURT

4 DISTRICT OF MASSACHUSETTS

5 No. 04-CV-11948-RGS

6 SEYED MOHSEN HOSSEINI-SEDEHY,

7 Plaintiff

8 vs.

9 ERIN T. WITHINGTON and the CITY

10 OF BOSTON,

11 Defendants

12  
13 DEPOSITION OF ERIN T. WITHINGTON

14 Thursday, March 31, 2005

15 10:00 a.m. - 4:32 p.m.

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24 Reporter: Cynthia C. Henderson/RPR

Erin T. Withington - March 31, 2005

<p style="text-align: right;">30</p> <p>1 <b>Q. And a couple of these calls concerned Mr.</b>  2 <b>Bavis's allegations that there were other witnesses</b>  3 <b>or complainants?</b>  4 A. Yes.  5 <b>Q. And did he refuse to give you the names of</b>  6 <b>these complainants over the phone?</b>  7 A. He can't report for someone else, so I said  8 to him, "Well, you know, Joe, if somebody else wants  9 to come forward, you need to give them my name and  10 number. They need to report to me." He mentioned  11 somebody's first name, and I said, "I can't take the  12 first name based on what you are telling me. They  13 need to be a victim themselves."  14 <b>Q. All right. So Mr. Bavis tried to give you</b>  15 <b>a name or one name?</b>  16 A. I know he described an incident that had  17 occurred with someone else who I think was somehow  18 related to either him or Mr. Perry, and I said,  19 "Does this person want to speak with me right now?"  20 And he was embarrassed, and I explained to him that,  21 "You can't report for somebody else. Especially in  22 an assault, the person has to be the complainant. I  23 will give you my name and number and they can call  24 me, but you can't call me up and tell me things</p>	<p style="text-align: right;">32</p> <p>1 <b>Q. What was that?</b>  2 A. I can't remember if he said that -- it was  3 people were talking about him bringing a suit  4 against the company. Oh, and then they also did say  5 to me he wasn't getting work and he thought it was  6 because of the fact that he had brought this case  7 forward, which I then again explained to him that I  8 couldn't, that was something that was civil, that I  9 really couldn't do anything about that, I couldn't  10 force them to make him work or to let him work, that  11 that was something he would have to take up with his  12 supervisors, that wasn't part of the sexual assault,  13 that really the case hadn't been brought yet because  14 I still hadn't spoken to Mr. Hosseini, so I couldn't  15 say it was a result of the investigation, I couldn't  16 say that Mr. Hosseini was aware of the charges and  17 therefore wasn't letting him work because I hadn't  18 spoken to Mr. Hosseini yet.  19 <b>Q. Back to the comment that Bavis reported to</b>  20 <b>you, what was the comment?</b>  21 A. I can't remember if it was from  22 Mr. Hosseini, Mr. Perry, but it was something about  23 him not working, not being able to work because of  24 this type of thing.</p>
<p style="text-align: right;">31</p> <p>1 about other people."  2 <b>Q. You mentioned one of these calls after</b>  3 <b>December 22nd and when you went out on disability,</b>  4 <b>Mr. Bavis made another allegation against Mr.</b>  5 <b>Hosseini about Mr. Hosseini touching Mr. Bavis on</b>  6 <b>the arm?</b>  7 A. Yes. I believe he called me and said that  8 he had touched his arm, rubbed his arm.  9 <b>Q. Did he tell you that this happened at work?</b>  10 A. I believe he did tell me it happened at  11 work.  12 <b>Q. Did he say what day it was?</b>  13 A. No, not that I can remember, no, and I am  14 not a hundred percent sure if he was telling me it  15 was recently it happened or if it was something that  16 he remembered that he had forgotten to tell me.  17 <b>Q. And did you take any notes about these</b>  18 <b>telephone conversations you had with Mr. Bavis?</b>  19 A. Other than to take Mr. Dodd's phone number  20 down, so no, I did not.  21 <b>Q. You said one of the calls that Bavis had</b>  22 <b>made before you went out on disability was to report</b>  23 <b>a comment made by Mr. Hosseini?</b>  24 A. Yes.</p>	<p style="text-align: right;">33</p> <p>1 <b>Q. So Mr. Bavis was saying that</b>  2 <b>Mr. Hosseini made a comment to him about</b>  3 <b>Mr. Bavis not working for GES because of this</b>  4 <b>investigation?</b>  5 A. Either Mr. Hosseini or John Perry had made  6 the comment to him, but he wasn't specific in who  7 had said what to him or how they had said it, just  8 the bottom line of that was that he wasn't getting  9 work and he thought it was based on this, which I  10 explained to him that the investigation really  11 hadn't started yet because of the fact that Mr.  12 Hosseini wasn't aware of the allegations, that that  13 was something he had to take up with either  14 management or his union or the civil side, that I  15 couldn't handle something like that for him.  16 <b>Q. Now, were the number of calls that Bavis</b>  17 <b>made to you before you went out on disability, was</b>  18 <b>that unusual? Did that stick out in your mind</b>  19 <b>because it was an unusual amount of calls?</b>  20 A. Depending upon the case, sometimes a victim  21 will call a lot. I thought based on this case it  22 was kind of unusual.  23 <b>Q. Based on the circumstances and the</b>  24 <b>allegations in this case, it was unusual?</b></p>